

1 SEAN P. DEBRUINE (admitted *pro hac vice*)
sean.debrune@alston.com
2 JENNIFER (CELIN) LIU (admitted *pro hac vice*)
celine.liu@alston.com
3 ALSTON & BIRD LLP
275 Middlefield Road, Suite 150
4 Menlo Park, California 94025
Telephone: 650-838-2000
5 Facsimile: 650-838-2001

6 ROBERT J. CALDWELL (Bar No. 007637)
rcaldwell@klnevada.com
7 MATTHEW J. CHRISTIAN (Bar No. 008024)
mchristian@klnevada.com
8 E. DANIEL KIDD (Bar No. 010106)
dkidd@klnevada.com
9 KOLESAR & LEATHAM, CHTD.
10 400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145
11 Telephone: (702) 362-7800
12 Facsimile: (702) 362-9472

Attorneys for Plaintiff
13 ELAN MICROELECTRONICS CORPORATION

14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 ELAN MICROELECTRONICS
18 CORPORATION,

19 Plaintiff,

20 v.

21 PIXCIR MICROELECTRONICS CO. LTD.,

22 Defendant.

Case No. 2:10-cv-00014-GMN-(PAL)

**ELAN MICROELECTRONICS
CORPORATION'S MOTION TO FILE
UNDER SEAL**

Pursuant to Local Rule 10-5(b) and the Court's Protective Order dated September 22, 2011 [Dkt. No. 40], plaintiff Elan Microelectronics Corporation ("Elan") hereby requests leave of Court to file under seal the following documents, which will be filed contemporaneously herewith:

1. Elan Microelectronics Corporation's Reply in Support of Elan's Motion to Compel Production of Communications and Work Product Improperly Withheld on the Basis of Privilege; and

2. Exhibits A-D to the Supplemental Declaration of Sean P. DeBruine in Support of Elan Microelectronics Corporation's Motion to Compel Production of Communications and Work Product Improperly Withheld on the basis of Privilege.

3. As grounds for this motion, Elan states that Elan's Motion contains information designated by Pixcir as "Confidential" or "Confidential – Attorney Eyes Only" pursuant to the Stipulated Protective Order in this matter.

Pursuant to Local Rule 10-5(b), Elan will file the above-referenced paper under seal with the requisite notation: "FILED UNDER SEAL PURSUANT TO COURT ORDER DATED SEPTEMBER 22, 2011."

DATED: January 23, 2013

Respectfully submitted,

By: /s/ Sean P. DeBruine

Robert J. Caldwell, Esq. (Nevada Bar No. 7637)
Matthew J. Christian, Esq. (Nevada Bar No. 8024)

KOLESAR & LEATHAM, CHTD.
400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145

and

Sean P. DeBruine, Esq.
Admitted *Pro Hac Vice*
ALSTON & BIRD LLP
275 Middlefield Road, Suite 150
Menlo Park, California 94025

Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that I am an Employee of Alston & Bird LLP, and that on the 23rd day of January, 2013, I served a true and correct copy of foregoing **ELAN MICROELECTRONICS CORPORATION'S MOTION TO FILE UNDER SEAL** in one or more of the following manners via:

(ELECTRONIC SERVICE) Pursuant to FRCP 5(b)(3) and LR 5-4, the above-referenced document was electronically filed and served upon the parties listed below through the Court's Case Management and Electronic Case Filing (CM/ECF) system:

Robert E. Krebs, Esq.
Ronald F. Lopez, Esq.
Christopher L. Ogden, Esq.
Awaiting Pro Hac Vice Applications
Nixon Peabody LLP
2 Palo Alto Square, 3000 El Camino Real,
Suite 500
Palo Alto, California 94306-2106

Facsimile: (650) 320-7701

Email:
rkrebs@nixonpeabody.com
rflopez@nixonpeabody.com
cogden@nixonpeabody.com

*Attorneys for Defendant,
Pixcir Microelectronics Corporation*

Kenneth D'Alessandro, Esq.
W. West Allen, Esq.
Lewis and Roca, LLP
3993 Howard Hughes Parkway
Suite 600
Las Vegas, Nevada 89169

Facsimile: (702) 949-8365

Email:
kdalessandro@lrlaw.com
wallen@lrlaw.com

*Attorneys for Defendant,
Pixcir Microelectronics Corporation*

/s/ Kate Smith

Employee, Alston & Bird LLP

1 SEAN P. DEBRUINE (admitted *pro hac vice*)
sean.debrune@alston.com
2 JENNIFER (CELINE) LIU (admitted *pro hac vice*)
celine.liu@alston.com
3 ALSTON & BIRD LLP
275 Middlefield Road, Suite 150
4 Menlo Park, California 94025
Telephone: 650-838-2000
5 Facsimile: 650-838-2001

6 ROBERT J. CALDWELL (Bar No. 007637)
rcaldwell@klnevada.com
7 MATTHEW J. CHRISTIAN (Bar No. 008024)
mchristian@klnevada.com
8 E. DANIEL KIDD (Bar No. 010106)
dkidd@klnevada.com
9 KOLESAR & LEATHAM, CHTD.
10 400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145
11 Telephone: (702) 362-7800
12 Facsimile: (702) 362-9472

Attorneys for Plaintiff
13 ELAN MICROELECTRONICS CORPORATION

14
15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 ELAN MICROELECTRONICS
18 CORPORATION,

19 Plaintiff,

20 v.

21 PIXCIR MICROELECTRONICS CO. LTD.,

22 Defendant.
23
24
25
26
27
28

Case No. 2:10-cv-00014-GMN-(PAL)

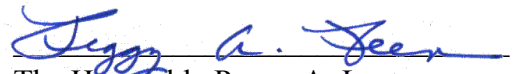
**[PROPOSED] ORDER GRANTING
ELAN MICROELECTRONICS
CORPORATION'S MOTION TO FILE
UNDER SEAL**

1 The Court has received plaintiff Elan Microelectronics Corporation's Motion to File Under
2 Seal, filed on January 23, 2013. Good cause appearing, Elan's motion is hereby GRANTED. It is
3 hereby ORDERED that the following documents may be filed under seal:

4 1. Elan Microelectronics Corporation's Reply in Support of Elan Microelectronics
5 Corporation's Motion to Compel Production of Communications and Work Product Improperly
6 Withheld on the Basis of Privilege; and

7 2. Exhibits A – D to the Supplemental Declaration Of Sean P. DeBruine In Support
8 Of Elan Microelectronics Corporation's Motion To Compel Production Of Communications And
9 Work Product Improperly Withheld On The Basis Of Privilege.

10
11 **IT IS SO ORDERED** this 4: yj day of Lcpwct{, 2013.

12
13 

14 The Honorable Peggy A. Leen
15 United States Magistrate Judge
16
17
18
19
20
21
22
23
24
25
26
27
28

1 Respectfully submitted,

2
3
4 By: /s/ Sean P. DeBruine
Robert J. Caldwell, Esq.
5 Nevada Bar No. 7637
KOLESAR & LEATHAM, CHTD.
6 Matthew J. Christian, Esq.
Nevada Bar No. 8024
7 400 South Rampart Boulevard, Suite 400
Las Vegas, Nevada 89145

8 and

9
10 Sean P. DeBruine, Esq.
Admitted *Pro Hac Vice*
ALSTON & BIRD, LLP
11 275 Middlefield Road, Suite 150
Menlo Park, California 94025

12
13 Attorneys for Plaintiff
ELAN MICROELECTRONICS CORPORATION
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that I am an Employee of Alston & Bird LLP, and that on the 23rd day of January, 2013, I served a true and correct copy of foregoing **[PROPOSED] ORDER GRANTING ELAN MICROELECTRONICS CORPORATION'S MOTION TO FILE UNDER SEAL** in one or more of the following manners:

(ELECTRONIC SERVICE) Pursuant to FRCP 5(b)(3) and LR 5-4, the above-referenced document was electronically filed and served upon the parties listed below through the Court's Case Management and Electronic Case Filing (CM/ECF) system:

Robert E. Krebs, Esq.
Ronald F. Lopez, Esq.
Christopher L. Ogden, Esq.
Awaiting Pro Hac Vice Applications
Nixon Peabody LLP
2 Palo Alto Square, 3000 El Camino Real,
Suite 500
Palo Alto, California 94306-2106

Facsimile: (650) 320-7701

Email:
rkrebs@nixonpeabody.com
rflopez@nixonpeabody.com
cogden@nixonpeabody.com

*Attorneys for Defendant,
Pixcir Microelectronics Corporation*

Kenneth D'Alessandro, Esq.
W. West Allen, Esq.
Lewis and Roca, LLP
3993 Howard Hughes Parkway
Suite 600
Las Vegas, Nevada 89169

Facsimile: (702) 949-8365

Email:
kdalessandro@lrlaw.com
wallen@lrlaw.com

*Attorneys for Defendant,
Pixcir Microelectronics Corporation*

/s/ Kate Smith
Employee, Alston & Bird LLP